

Notice of Allowability

Application No.

10/061,417

Examiner

Kuen S. Lu

Applicant(s)

BENNETT ET AL.

Art Unit

2167

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to July 10, 2006.
2. ☒ The allowed claim(s) is/are 1-8, 10-18 and 20-23 (renumbered to 1-21).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 9/19/2006.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

1. This communication is responsive to Applicant's Amendment filed July 10, 2006.
2. After a thorough search and examination of the present application and in light of the prior art made of record and Responses from the Applicant, claims 1-8, 10-18 and 20-23 (renumbered to 1-21) are allowed.

Drawings

3. The drawings filed January 31, 2002 are accepted.

Examiner's Amendments

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee. Authorization for this Examiner's amendment, listed below, was given in a telephone interview with Mr. Darcell Walker (Registration #: 34,945), on September 19, 2006. A copy of the interview summary is attached.

5. Please amend claims 1, 13 and 22 as follow:

Claim 1 (Currently Amended) A method for creating a storage repository for storing graphical displays in a computer network environment comprising the steps of:

receiving a file containing graphical displays stored in a local database, said local database storing the graphical displays in a folder directory hierarchy configuration;
converting the file containing the graphical displays into an HTML format;

converting the folders containing the graphical displays into a format for inclusion in a network repository, by performing:

receiving a hierarchical directory containing the display file and displays as created during the initial creation the display file,

determining the number of top level folders in this hierarchy, and

determining the number of sub-folders in the hierarchy; and

writing an item to the network repository, when the lowest level of sub-folder has been reached; and

storing the converted folders in the network repository such that the stored folders form a hierarchy of folders, directories and subdirectories.

Claim 13 (Currently Amended) A computer program product in a computer readable medium for creating a storage repository for storing graphical displays in a computer network environment comprising the steps of:

instructions for receiving a file containing graphical displays stored in a local database, said local database storing the graphical displays in a folder directory hierarchy configuration;

instructions for converting the file containing the graphical displays into an HTML format;

instructions for converting the folders containing the graphical displays into a format for inclusion in a network repository, said folder converting instructions further ~~comprising instructions for~~ performing:

receiving a hierarchical directory containing the display file and displays as created during the initial creation the display file,

~~for determining the number of top level folders in this hierarchy, and instructions for~~

determining the number of sub-folders in the hierarchy; and

~~instructions for writing an item to the network repository, when the lowest level of sub-folder has been reached;~~ and

instructions for storing the converted folders in the network repository such that the stored folders form a hierarchy of folders, directories and subdirectories.

Claim 22 (Currently Amended) A system for creating a storage repository for storing graphical displays in a computer network environment comprising:

a local computer machine;

a network repository for storing and displaying graphical displays;

a conversion program for converting display files into HTML formats for inclusion in the network repository performing:

receiving a hierarchical directory containing the display file and displays as created during the initial creation the display file,

determining the number of top level folders in this hierarchy,

determining the number of sub-folders in the hierarchy, and

writing an item to the network repository, when the lowest level of sub-folder has been reached;

a computer network for establishing communication between said local computer and said display repository;

a program that generates a cascading menu containing the folders, directories and graphical displays in the network repository; and

a display file-generating program for assembling a display file from displays stored in a display file repository.

Reasons for Allowance

6. In the Examiner's Office Action for Final Rejection of August 3, 35 U.S.C. 35 U.S.C. § 103, rejections was based on a primary reference, Yacovone et al.: U.S. Patent Application 2002/0109712, "METHOD AND SYSTEM FOR COMPOSING, DELIVERING, VIEWING AND MANAGING AUDIO-VISUAL PRESENTATIONS OVER A COMMUNICATION NETWORK", January 16, 2002, hereafter "Yacovone"; and in view of Rodman et al.: U.S. Patent Application 2002/0103864, "SYSTEM AND METHOD FOR COORDINATING A CONFERENCE USING A DEDICATED SERVER", December 26, 2001, hereafter "Rodman".

In the Remarks filed on July 10, 2006, the Applicant mainly argued that Yacovone does not teach cascading sub-folder display and Rodman does not teach writing sub-folders in the hierarchy into the network repository as part of a cascading menu for a display file, both are described in each of the independent claims 1, 13 and 22. Applicant further argued that a prima facie case of obviousness can not be established because neither reference cites the feature of "a program that generates a cascading

menu containing the folders, directories and graphical displays in the network repository”

After further review the results of searches conducted on prior art from domains EAST, NPL-ACM, Google, NPL-IEEE, and in view of the argument presented by the Applicant, Examiner is persuaded that the subject matter of instant application is in great detail and the combined implementation of the subject matter is not taught by prior art:

An update search for prior art has been also conducted on the domains: EAST, NPL-ACM, Google and NPL-IEEE. The prior art searched and investigated in the domains does not fairly teach or suggest the teaching of the combined elements as claimed in the independent claims 1, 13 and 22.

The dependent Claim(s) in the groups (2-8 and 10-12), (14-18 and 20-21) and (23), directly or indirectly depending claims 1, 13 and 25, respectively, also distinct from the prior art for the same reason.


7. Any comments considered necessary by Applicants must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance”.

Contact Information


Art Unit: 2167

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuen S. Lu whose telephone number is (571) 272-4114. The examiner can normally be reached on Monday-Friday (8:30 am-5:30 pm). If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cottingham, can be reached on (571) 272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for Page 13 published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll-free).

Kuen S. Lu, 
Patent Examiner, Art Unit 2167

September 19, 2006


JOHN COTTINGHAM
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100